

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                                     |
|--|---|-------------------------------------|
| <hr/>                                  |   | X                                   |
| STEPHEN COOK and DENIS HACHQUET,       | : | Civil Action No. 1:13-cv-06185-LAK  |
| on Behalf of Themselves and All Others | : |                                     |
| Similarly Situated,                    | : | <u>CLASS ACTION</u>                 |
|  | : |                                     |
| Plaintiffs,                            | : | NOTICE OF VOLUNTARY DISMISSAL       |
|  | : | PURSUANT TO F.R.C.P. 41(A)(1)(A)(I) |
| vs.                                    | : |                                     |
|  | : |                                     |
| NUVERRA ENVIRONMENTAL                  | : |                                     |
| SOLUTIONS, INC., RICHARD J.            | : |                                     |
| HECKMANN, MARK D. JOHNSRUD and         | : |                                     |
| JAY C. PARKINSON,                      | : |                                     |
|  | : |                                     |
| Defendants.                            | : |                                     |
| <hr/>                                  |   | X                                   |

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), plaintiffs Stephen Cook and Denis Hachquet hereby give notice that the above captioned action is voluntarily dismissed, without prejudice, against defendants Nuverra Environmental Solutions, Inc., Richard J. Heckmann, Mark D. Johnsrud and Jay C. Parkinson. No defendant in the action has served either an answer or a motion for summary judgment; and a class has not been certified in this action.

DATED: October 23, 2013

ROBBINS GELLER RUDMAN  
& DOWD LLP  
SAMUEL H. RUDMAN

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*/s/ Samuel H. Rudman*  
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